

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF CALIFORNIA

CHRIS FRANKLIN,

Plaintiff, No. 2:95-cv-1250 GEB GGH P

vs.

ANA M. OLIVAREZ,

Defendant. ORDER

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This action is one of several actions filed in this court challenging the quality of water at Deuel Vocational Institution (DVI). Between June 1994 and December 1994, sixteen other cases were related to Arreaga v. Olivarez, Case No. 2:94-cv-0761 GEB GGH P. On July 24, 1995, this action was related to Arreaga, and by order filed November 27, 1995, it was stayed and administratively closed pending resolution of related claims raised Yellen v. Olivarez, No. 2:94-cv-1298 GEB DAD P, which had been designated the lead case for the related cases.

On October 18, 2012 summary judgment was entered in favor of all defendants in the Yellen case. The Clerk of the Court will be directed to serve plaintiff with a copy of the findings and recommendations on defendants' motions for summary judgment in Yellen and a copy of the October 18, 2012 order of the district court thereon.

Good cause appearing, IT IS HEREBY ORDERED that:

1. This action remains assigned to District Judge Garland E. Burrell, Jr. and is reassigned to Magistrate Judge Dale A. Drozd for all further proceedings. Henceforth, the caption on documents filed in this action shall be denominated 2:94-cv-1630 GEB DAD P.

2. The Clerk of the Court is directed to serve on plaintiff a copy of the August 28, 2012 findings and recommendations filed in Yellen v. Olivarez, No. 2:94-cv-1298 GEB DAD P (Docket No. 297) and a copy of the district court's October 18, 2012 order thereon (Docket No. 302).

3. Plaintiff is granted fourteen days from the date of this order in which to file either a request for voluntary dismissal of this action with prejudice or a motion to lift the stay. Plaintiff's failure to respond to this order will result in a recommendation that this action be dismissed with prejudice pursuant to Fed. R. Civ. P. 41(b).

DATED: October 24, 2012.

Dale A. Drozd  
DALE A. DROZD  
UNITED STATES MAGISTRATE JUDGE

DAD:12